

Honolulu, Hawaii

APR 10 2015

RE: H.B. No. 832
H.D. 1
S.D. 2

Honorable Donna Mercado Kim
President of the Senate
Twenty-Eighth State Legislature
Regular Session of 2015
State of Hawaii

Madam:

Your Committee on Ways and Means, to which was referred H.B. No. 832, H.D. 1, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO EDUCATION,"

begs leave to report as follows:

The purpose and intent of this measure is to authorize public charter school students to attend a school outside each student's service area if the student has been notified of the prospect of charter revocation or closure of the student's charter school.

For the purposes of a public hearing, your Committee circulated a proposed S.D. 2 (Proposed Draft) of the measure, and notified the public that your Committee would be accepting testimony on the Proposed Draft, which adds a provision authorizing the University Laboratory School to conform its student enrollment to standards established by the University of Hawaii College of Education. The Proposed Draft would take effect upon its approval.

Your Committee received written testimony in support of the Proposed Draft from University of Hawaii Laboratory School, the State Public Charter School Commission, and two individuals.

Your Committee finds that Act 159, Session Laws of Hawaii 2013, enacted provisions prohibiting, among other things, public charter schools from limiting student admissions based upon race, color, ethnicity, national origin, religion, gender, sexual



orientation, income level, disability, level of proficiency in the English language, need for special education services, or academic or athletic ability. That Act, now codified, in part, as section 302D-34, Hawaii Revised Statutes, prohibits the University of Hawaii Laboratory School from using its historical, research-based admission policy of creating an inclusive student population reflective of Hawaii that is based upon gender, family income, ethnicity, school achievement, and other factors. Your Committee believes that the limited exception created by this measure will allow the University of Hawaii Laboratory School to continue using its admission practice of providing a purposefully diverse population of students to conform to the educational research requirements of the University of Hawaii College of Education and better reflect legislative intent when significant changes were made to charter school laws over the last four years.

Your Committee has amended this measure by adopting the Proposed Draft and further amending it by:

- (1) Removing the provision that authorizes selected public charter school students to attend a school outside the student's service area; and
- (2) Changing the effective date to July 1, 2015.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 832, H.D. 1, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 832, H.D. 1, S.D. 2.

Respectfully submitted on
behalf of the members of the
Committee on Ways and Means,



JILL N. TOKUDA, Chair



The Senate
Twenty-Eighth Legislature
State of Hawai'i

Record of Votes
Committee on Ways and Means
WAM

Bill / Resolution No.:* HB 832, HD, SD1	Committee Referral: EDU, WAM	Date: 4/6/15		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <div style="display: flex; justify-content: space-between; align-items: flex-start;"> <div style="text-align: center;"> <input type="checkbox"/> Pass, unamended 2312 </div> <div style="text-align: center;"> <input checked="" type="checkbox"/> Pass, with amendments 2311 </div> <div style="text-align: center;"> <input type="checkbox"/> Hold 2310 </div> <div style="text-align: center;"> <input type="checkbox"/> Recommit 2313 </div> </div>				
Members	Aye	Aye (WR)	Nay	Excused
TOKUDA, Jill N. (C)	✓			
KOUCHI, Ronald D. (VC)	✓			
CHUN OAKLAND, Suzanne	✓			
DELA CRUZ, Donovan M.	✓			
ENGLISH, J. Kalani	✓			
GALUTERIA, Brickwood				✓
HARIMOTO, Breene	✓			
INOUE, Lorraine R.	✓			
RIVIERE, Gil	✓			
RUDERMAN, Russell E.	✓			
SLOM, Sam		✓		
TOTAL	9	1	0	1
Recommendation: <div style="display: flex; justify-content: space-around; margin-top: 5px;"> <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted </div>				
Chair's or Designee's Signature: <div style="text-align: center; margin-top: 10px;"> </div>				
<div style="display: flex; justify-content: space-between; font-size: small;"> Distribution: Original File with Committee Report Yellow Clerk's Office Pink Drafting Agency Goldenrod Committee File Copy </div>				

*Only one measure per Record of Votes